REMARKS

The Office Action dated April 14, 2006 has been received and carefully noted. The above amendments to the claims and the following remarks are submitted as a full and complete response thereto.

Claims 29, 43-45 are amended to particularly point out and distinctly claim the subject matter of the present invention. New claims 54-59 are added. No new matter is added. Claims 29-38, 43-45 and 54-59 are respectfully submitted for consideration.

The Office Action rejected claims 29-38 and 43-45 under 35 U.S.C. 112, second paragraph as being indefinite. Applicants respectfully submit that claims 29 and 43 are amended to more particularly point out and distinctly claim the subject matter of the present invention by deleting "AuthResp" and "AuthData" from the pending claims. Further, claim 29 is amended to provide proper antecedent basis of all of the recited elements in claim 29. Accordingly, withdrawal of the rejection of claims 29-38 and 43-45 is respectfully requested.

The Office Action rejected claim 29 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 20 of US Patent No. 7,024,688 to Faccin et al. ('688). The Office Action took the position that although the conflicting claims are not identical, that they are not patentably distinct from each other. Applicants respectfully traverse this rejection for the reasons set forth below.

The Office Action asserted that claims 29 teaches a network control element that determines whether to perform authentication verification before forwarding the SIP

message to the subscriber equipment. '688 teaches a user agent response to [a] server authentication request including information that the authentication will be performed using a Universal Mobile Telecommunication System (UMTS) authentication and Key Agreement (AKA) mechanism, wherein a field comprises and authentication token, random challenge (RAND) that are included in the SIP WWW-AUTHENTICATE or a Proxy-Authenticate response header field and performing an involved SIP procedure on the server in response to the SIP request of the authentication is deem[ed] successful in view of the authentication response. The Office Action further asserted that it would have been obvious that a network control element would have to be adapted to inspect the header field to determine whether a verification for authentication is needed before forwarding the response to the next network control element or receiving device. The Office Action added that verification for authentication encompasses extracting information from the data packets and comparing and matching authentication results with predetermined received information. Applicants respectfully disagree with these assertions.

In particular, the feature of claim 29 that the network control element determines whether it has to perform the authentication or not, is not obvious to one skilled in the art over '688. Namely, the fact alone that according to '688, the user agent response includes information that the authentication will be performed using a UMTS AKA mechanism does not indicate that the corresponding network element performs the determination. Thus, claim 29 is not obvious over '688 as asserted in the Office Action.

Further, because claims 30-38 and 43-45 depend from claim 29, these claims are non-obvious over '668 at least for the same reasons discussed above. Accordingly, withdrawal of the rejection of claims 29-38 and 43-45 on the grounds of non-statutory double patenting over claims 1 and 20 of '688 is respectfully requested.

The Office Action rejected claims 29-38 and 43-45 under 35 U.S.C. 103(a) as being obvious over the publication entitled "Network working Group" to Handley et al. (Handley), in view of US Patent No 6,425,004 to Hardjono (Hardjono). The Office Action took the position that Handley disclosed all of the features of these claims except for a network control element to perform verification, to received the scheduled result from another network control element, wherein the scheduled result is included in the session invitation message, extract the scheduled result from the session invitation message and to forward the session invitation message without the scheduled result to the subscriber equipment and, to verify the authentication result with a scheduled result. The Office Action asserted that Harjono disclosed these features. Applicants respectfully submit that the cited references taken individually or in combination, fail to disclose or suggest all of the features recited in any of the pending claims.

Claim 29, from which claims 30-38 and 43-45 depend, is directed to a network control element, wherein, during a subscriber equipment terminated call, the network control element is adapted to send a session invitation message to the subscriber equipment, the session invitation message including authentication information. The network control element determines whether it has to perform a verification of the

authentication, and, in case the network control element does not have to perform the verification, to forward a scheduled result to a second network control element by including the scheduled result into the session invitation message. The network control element in case the network control element has to perform the verification, to receive the scheduled result from another network control element, wherein the scheduled result is included in the session invitation message. Further, the network control element is configured to extract the scheduled result from the session invitation message and to forward the session invitation message without the scheduled result to the subscriber equipment. The network control element is further configured to verify an authentication result with a scheduled result.

Applicants respectfully submit that each of the pending claims recite features that are neither disclosed nor suggested in any of the cited references.

Hadley is directed to a Signal Initiation Protocol (SIP). The SIP is an application layer control (signaling) protocol for creating, modifying and terminating sessions with one or more participants. These sessions include Internet multimedia conferences, internet telephone calls and multimedia distribution. Members in a session can communicate via multicast or via a mesh of unicast relations, or a combination of these.

Hardjono is directed to detecting and locating a misbehaving router in a network domain. In particular, it seems that a kind of test authentication is performed with a certain device in a network, and if this authentication fails, i.e., gives the wrong results, the corresponding device is forwards the packet to a secure and trusted authority in the

receiving sector. The secure and trusted authority in the receiving sector forwards the packet to other secure and trusted authorities. The secure and trusted authorities are able to determine whether any device in its sector is the originating device for the packet by computing device verification tags for each device in the sector and comparing the device verification tags to the device tag in the packet.

Applicants respectfully submit that the cited references fail to disclose or suggest at least the feature of in case the network control element does not have to perform the verification, to forward a scheduled result to a second network control element by including the scheduled result into the session invitation message, as recited in claim 29. The Office Action relied on Hardjono to disclose this feature. However, Applicants respectfully submits that Hardjono fails to cure the admitted deficiencies of Handley. Hardjono merely discloses that a receiving router receives an authentication result from another router. In case the result, i.e., the routing information is invalid, the receiving router forwards the packet to an STA which is a secure and trusted authority (STA) (See Fig. 8 and column 5, line 60 to column 6, line 18, column 4, lines 18 to 20 of Hardjono). Further, the Office Action does not mention, nor does Hardjono disclose or suggest, that the received data packet contains a session invitation message. Thus, Hardjono fails to cure the admitted deficiencies of Handley.

Applicants respectfully submit that because claims 30-38 and 43-45 depend from claim 29, these claims are allowable at least for the same reasons as claim 29, as well as, for the additional features cited in these dependent claims.

Based at least on the above, Applicants respectfully submit that the cited references fail to disclose or suggest all of the features recited in claims 29-38 and 43-45. Accordingly, withdrawal of the rejection of claims 29-38 and 43-45 under 35 U.S.C. 103(a) is respectfully requested.

New claims 54-59 are added. Applicants respectfully submit that claims 54-59 recite features that are neither disclosed nor suggested in any of the cited references.

Applicants respectfully submit that each of claims 29-38, 43-45 and 54-59 recite features that are neither disclosed nor suggested in any of the cited references. Accordingly, it is respectfully requested that each of claims 29-38, 43-45 and 54-59 be allowed and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

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Enclosures: Petition for Extension of Time
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